

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
NEW ALBANY DIVISION

BRIAN NAPIER,

Plaintiff,

v.

CRUISIN, INC.,

Defendant.

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No. 4:18-cv-00078-RLY-DML

Report and Recommendation to  
Dismiss Complaint without Prejudice

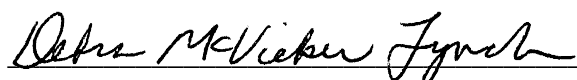
On January 22, 2019, the court issued an order to show cause to the plaintiff (Dkt. 8). Plaintiff was ordered to show cause, in a writing filed with this court no later than February 14, 2019, why this case should not be dismissed without prejudice for failure to prosecute. Plaintiff did not respond to the order to show cause or take any other action to prosecute the case.

Because of plaintiff's failure to comply with the court's order, the Magistrate Judge recommends to the District Judge that his complaint be DISMISSED WITHOUT PREJUDICE.

Any objections to the Magistrate Judge's Report and Recommendation must be filed in accordance with 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b). Failure to file objections within fourteen days after service will constitute a waiver of subsequent review absent a showing of good cause for such failure.

IT IS SO RECOMMENDED.

Date: 3/1/2019



Debra McVicker Lynch  
United States Magistrate Judge  
Southern District of Indiana

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